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MILL CREEK DISTRIBUTION SYSTEM ANNUAL MEETING

FEBRUARY 23, 2005

The annual meeting of the Mill Creek Distribution System was called to order at 10:05 a.m. by Chairman Dale Pierson.

The first item of business on the agenda was a review of the minutes from the 2004 meeting. They were read by Mark Page. There were no corrections or additions to be made. A motion was made by Jim Farnsworth, and seconded by George Carter, to accept the minutes as read. The motion passed.

The next item of business to be considered by the water users was the Commissioner's Report for 2004. Commissioner Robert Byrnes stated that the 2004 season was better than expected. Mr. Byrnes is recommending that work needs to be done on the Wilson Mesa diversion structure. When access can be obtained, the measuring device on Wilcox Flat should be moved near the diversion. Repairs on the Horse Creek Ditch have been completed. The headgate needs to be modified so it can be locked when necessary. The flume should also be repaired. Work on the South Mesa Diversion needs to be done to re-establish the bank of the creek adjacent to, and ahead of the parshall flume, so the water can be controlled. The flume should also be leveled. The Walker meter still needs to be repaired or replaced. The flow meters on the Moab Irrigation Company pipelines need to be maintained in a more timely manner. This situation needs to be addressed before the 2005 season begins. The Schumaker #1 and Cemetery Wells were pumped during July for make-up water. The meter at the Sheley Tunnel is being replaced and should be in place prior to run off. Commissioner Byrnes thanked everyone for their cooperation. Chairman Pierson scheduled a meeting for March 14 to look at the meter problems. Jim Farnsworth had a questions about some of the figures in the Commissioner's Report. They will be discussed following the meeting. Following the Commissioner's Report, a motion was made by Jim Farnsworth, subject to his concerns, and seconded by Greg McKennis, to accept the Commissioner's Report. The motion passed.

The recommendation of a commissioner was the next item of business. Chairman Pierson recommended to those present that Mr. Byrnes be reappointed for another 4-year term of service. A motion was made by George Carter to recommend to the State Engineer that Robert Byrnes be reappointed Commissioner. The motion was seconded by Greg McKennis. The motion passed.

A discussion of the 2004 Financial Statement was led by Mr. John Larsen. He indicated that as of January 1, 2004 there was \$5294.67 in the Trust Account. During 2004, receipts totaled \$4220.28, of which \$4171.29 was collected from regular assessments, and \$48.99 in interest. Expenditures totaled \$5025.56. The balance in the Trust Account as of December 31, 2004 was

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\$4489.39. Lee Sim indicated that the Commissioner's salary has been paid for 2004, but not his travel expenses. The travel expenses paid during 2004 were for 2003. There are no delinquent accounts. Following a brief discussion of the Financial Statement, a motion was made by Jim Farnsworth, and seconded by George Carter, to accept the Financial Statement as read. The vote was unanimous.

The next item of business was the preparation of the budget for 2005. After a lengthy discussion, it was decided to give the commissioner a \$200 raise in salary and leave the travel item unchanged. It should be noted that he is currently reimbursed at a rate of 38½ cents per mile. Greg McKennis made a motion, which was seconded by Jim Farnsworth, to set the 2005 budget as follows:

Commissioner's Salary	\$3290.00
Social Security	252.00
Travel Expenses	1,500.00
State Engineer's Assessment	349.00
Insurance	35.00
Annual Report	100.00
Miscellaneous	50.00
Total	\$5576.00

George Carter made a motion to set the assessment for 2005 at \$4269.00. The motion was seconded by James Farnsworth. The motion passed.

The final item of business was the appointment of a Water User's Committee to transact any necessary business during 2005. A motion was made by Jim Farnsworth, and seconded by Greg McKennis, to reappoint the same committee that served in 2004. All present voted in the affirmative. The committee is as follows:

Dale Pierson	Chairman
George Carter	Moab Irrigation Company
Janie Walker	Self
Jim Farnsworth	Mesa Users

It was noted that the current Snotel information indicates a snow water equivalent of 116% of average at the LaSal Mountain site, compared to 60% in 2004. It is believed that 2005 should be an average water year.

Mr. Sim discussed three bills that are currently before the legislature. House Bill 29 clarifies the duties of the State Engineer. House Bill 38 provides for graduated criminal penalties for various criminal provisions pertaining to the regulation and distribution of water. House Bill 157 defines

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the enforcement procedures and penalties available to the State Engineer in the performance of his duties.

It was noted that local governmental agencies wanted to contract with the USGS to complete a water resource study of the Moab-Spanish Valley area to aid in present and future water development decisions. Some concern was expressed that maybe this would open the way for federal intervention into the water management decisions for the area in the future. It was noted that the USGS and other agencies have helped with studies in the past and no problems have resulted.

With no further business the meeting adjourned at 11:40 a.m.

Those present at the meeting included the following:

Dale Pierson
Robert M. Byrnes
George Carter
Jim Farnsworth
Greg McKennis
Lee Sim
John Larsen
Mark Page

Grand Water & Sewer Service Agency
Mill Creek Commissioner
Moab Irrigation Company
South Mesa
Wilson Mesa
Division of Water Rights
Division of Water Rights
Division of Water Rights